IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2369 OF 2005

M/s.Simba Echovision Pvt.Ltd. ... Petitioner.

V/s.

Union of India and others. ... Respondent.

Vikram Nankani with Madhur Baya
for the petitioner.

A.J.Rana, senior counsel with Mrs.S.V.Bharucha
for the respondent.

CORAM : V.C.DAGA AND J.P. DEVADHAR, JJ.

DATED : 22nd September 2005.

P.C. :

. During the course of hearing, Mr.Rana, learned counsel appearing for the respondents submits that if the petitioner appears before respondent No.2 and make submissions it would be possible for respondent No.2 to pass an order directing provisional release of goods. He also submits that respondent No.2 shall make provisional assessment within two weeks.

2. Learned counsel appearing for the petitioner expressed his willingness to appear before respondent No.2 on 26th September, 2005 so as to make appropriate submissions. The suggestion made by Mr.Rana for the Revenue and accepted by the

petitioner is taken on record. It would, thus, be open for respondent No.2 either to hear the petitioner on 26th September, 2005 or on any other suitable date. In the meanwhile, it would be be open for the Revenue to put the goods in a bonded warehouse so as to protect them.

3. In view of this arrangement, learned counsel for the petitioner seeks permission to withdraw this petition. In the result, petition is dismissed as withdrawn with no order as to costs.

4. All concerned to act on an authenticated copy of this order.

(J.P. DEVADHAR,J.) **(V.C. DAGA,J.)**